

UNITED STATES DISTRICT COURT
Eastern District of California

Petition to Modify the Conditions or Term of Supervision
with Consent of the Person Under Supervision
(Probation Form 49, Waiver of Hearing, is on file)

Name of Person Under Supervision:	Kevin Ray Patterson	Docket Number:	0972 2:99CR00551-001
--	---------------------	-----------------------	-------------------------

Name of Judicial Officer: Senior United States District Judge William B. Shubb

Date of Original Sentence: 9/9/2002

Original Offense: Count 1: 18 U.S.C. § 2332a(a)(2) – Conspiracy to Use a Weapon of Mass Destruction (CLASS A FELONY); Count 2: 18 USC 844(l) and (n) – Conspiracy to Use a Destructive Device (CLASS C FELONY); Count 3: 26 USC 5861(d) – Possession of a Destructive Device (CLASS C FELONY); Count 4: 18 USC 371 – Conspiracy to Violate Federal Firearms Laws (CLASS D FELONY) (Count 4 became Bifurcated Count 3 for the second trial.)

Original Sentence: 293 months custody Bureau of Prisons; 60-month term of Supervised Release; Mandatory testing; No firearms; \$400 special assessment.

Special Conditions: 1) Warrantless Search; 2) Financial Disclosure; 3) Drug/Alcohol Testing; 4) Mental Health Treatment; 5) Aftercare Co-payment

Type of Supervision:	Supervised Release
Date Supervision Commenced:	11/16/2020

Other Court Actions:

07/05/2016: Case reassigned from Judge Edward J. Garcia to Your Honor.

PETITIONING THE COURT

To modify the conditions of supervision as follows:

6. You must submit your person, property, house, residence, vehicle, papers, computer, other electronic communications or data storage devices or media, or office, to a search conducted by a United States probation officer or any law enforcement officer at any time, based upon reasonable suspicion of unlawful conduct or a violation of a condition of supervision, without a search warrant. Failure to submit to a search may be grounds for revocation. You must warn any other occupants that the premises may be subject to searches pursuant to this condition.
7. You will be monitored for a period of 180 days, with location monitoring technology, which may include the use of Radio Frequency (RF), Global Positioning System (GPS) devices, Voice Recognition or Virtual Monitoring Technology, at the discretion of the probation officer, and comply with its requirements.

The location monitoring technology will be used to monitor the following restriction on your movement in the community:

You have no residential curfew, home detention, or home incarceration restrictions. However, you must comply with the location or travel restrictions as imposed by the court (Stand Alone Monitoring). Note: Stand Alone Monitoring should be used in conjunction with global positioning system (GPS) technology.

You must follow the rules and regulations of the location monitoring program. Your co-payment will be determined utilizing a Sliding Fee Scale based on your disposable income.

Justification: Patterson commenced his term of supervised release on November 16, 2020, in the Eastern District of California. He subsequently underwent a mental health assessment and participated in treatment services. In December 2020, during a home contact, U.S. Probation Officer Matthew Faubert confiscated two machetes from Patterson's residence. Patterson denied the machetes belonged to him and stated that they had been left at the residence by squatters. Patterson was verbally reprimanded and was directed to not possess weapons.

In April 2022, the undersigned assumed supervision of this case. Patterson had a lapse in mental health services and was later referred to individual mental health counseling. During a home contact, Patterson admitted to having contact with his co-defendant Charles Kiles. Patterson was advised that contact with Kiles was a violation of the conditions of his supervision, would need to stop immediately. On December 21, 2022, I was contacted by Patterson's therapist as she was concerned about a statement he had made during a treatment session; specifically, that Patterson knew of a future event during which other individuals may be harmed.

On December 22, 2022, a search of Patterson's residence was conducted with the assistance of the FBI. During the search, multiple knives and machetes were found, three of which were made of fiberglass reinforced plastic. In addition, eight rounds of ammunition; hundreds of .223-5.56 projectiles used for reloading ammunition; anti-government documents; two Hell-Fire Gen 2 automatic trigger systems; and four 22LR magazine drums were found. Patterson stated the eight rounds of ammunition were left behind from some squatters that had stayed at his house when he was in prison. He stated he purchased the other items in hopes his rights will be restored one day and he can purchase a firearm. No firearms or explosives were located on the property.

In Patterson's vehicle was a receipt for a U-Haul truck dated December 16, 2022, with a return date of December 17, 2022. Patterson stated he had rented the truck to move items into storage for Charles Kiles. Patterson could not describe what these items were moved; only they were Kiles' belongings. On December 22, 2022, the storage shed was searched with assistance from the FBI and no weapons or explosives were detected.

Due to Patterson's conduct in the instant offense and his history of association with domestic terrorists, the FBI interviewed Patterson. It was deemed that there was no information indicating Patterson was an active threat to the community's safety. Patterson later stated the comment he made to his therapist was specific to a song he is writing that he may publish. Patterson had been taking part in individual mental health sessions; he now will be participating in cognitive behavioral therapy.

Probation has increased contacts with Patterson and collateral contact with law enforcement to mitigate risk to the community. On December 28, 2022, I met with Patterson, who agreed to sign

a waiver to modify the special conditions to include an enhanced search condition and location monitoring.

Respectfully submitted,



Lisa Hage
Sr. United States Probation Officer
Telephone:

DATED: 1/20/2023

Reviewed by,



Michael K. McFarland
Supervising United States Probation
Officer

THE COURT ORDERS:

☒ Modification approved as recommended.

Dated: January 20, 2023



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

CC:

United States Probation

Assistant United States Attorney: To be assigned

Defense Counsel: To be assigned